

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
	:	
v.	:	
	:	
ANDERSON JOSE COUTINHO-SILVA	:	No. 10-002
	:	
	:	

ORDER


AND NOW, this 2nd day of November 2023, upon consideration of Mr. Coutinho-Silva's Motion to Correct Sentence Under 28 U.S.C. § 2255 (Doc. No. 47), Pro Se Motion Requesting the Court Take Judicial Notice of Adjudicative Facts (Doc. No. 51), Pro Se Motion to Supplement 2255 Motion (Doc. No. 52), Pro Se Motion to Supplement 2255 Motion (Doc. No. 55), Pro Se Motion for Appointment of Court Appointed Counsel (Doc. No. 57), Pro Se Motion Requesting the Court Take Judicial Notice of Adjudicative Facts (Doc. No. 76), Pro Se Motion to Supplement 2255 Motion (Doc. No. 77), Pro Se Motion to Clarify (Doc. No. 78), Pro Se Motion to Supplement 2255 Motion (Doc. No. 82), and Pro Se Motion for Leave of Court to File a Notice (Doc. No. 84), it is hereby **ORDERED** that:

1. Mr. Coutinho-Silva's Motion to Correct Sentence Under 28 U.S.C. § 2255 (Doc. No. 47) is **DENIED**;
2. Mr. Coutinho-Silva's Pro Se Motion Requesting the Court Take Judicial Notice of Adjudicative Facts (Doc. No. 51), Pro Se Motion to Supplement 2255 Motion (Doc. No. 52), and Pro Se Motion to Supplement 2255 Motion (Doc. No. 55) are **DENIED**;
3. Mr. Coutinho-Silva's Pro Se Motion for Appointment of Court Appointed Counsel (Doc. No. 57), Pro Se Motion Requesting the Court Take Judicial Notice of Adjudicative Facts (Doc. No. 76), Pro Se Motion to Supplement 2255 Motion (Doc. No. 77), Pro Se Motion

to Clarify (Doc. No. 78), Pro Se Motion to Supplement 2255 Motion (Doc. No. 82), and Pro Se Motion for Leave of Court to File a Notice (Doc. No. 84) are **DENIED IN PART**;¹

4. There is no probable cause to issue a Certificate of Appealability.²

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ These motions are denied insofar as they relate to Mr. Coutinho-Silva's first § 2255 Motion (Doc. No. 47) and not his second § 2255 Motion (Doc. No. 56).

² A Certificate of Appealability may issue upon a substantial showing that "reasonable jurists could debate whether . . . the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). As discussed in the accompanying memorandum, the legal basis for Mr. Coutinho-Silva's motion has now been squarely rejected by the Third Circuit Court of Appeals. Reasonable jurists therefore could not debate this resolution of his petition, and the issues presented therein do not deserve encouragement to proceed further.